

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-33 are pending in the application, with 1, 19, 20, and 26 being the independent claims. Claims 1, 19, 20, 26, and 29 have been amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

I. Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 1, 19, 20 and 26 under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that there was no antecedent basis for the element "the physical interface." Claims 1, 19, 20, and 26 have been amended to accommodate the Examiner's rejection. The scope of the claims has not been narrowed based on this amendment. Applicants respectfully request that the rejection be withdrawn.

Also, the Examiner objected to claim 29. Claim 29 has been amended to accommodate the Examiner's objection. The scope of claim 29 has not been narrowed. Applicants respectfully request that the objection to claim 29 be withdrawn.

II. *Claim Rejections Under 35 U.S.C. § 103*

The Examiner has rejected claims 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Min *et al.* (US Pub. No. 2003/0021237) in view of Tsao *et al.* (US Pub. No. 2003/0131413). The Examiner has also rejected claims 28-33 under 35 U.S.C. § 103(a) as being unpatentable over Min *et al.* in view of Tsao *et al.* and further in view of McConnell *et al.* (US Patent No. 6,108,307). Claims 1-25, which are method claims that correspond to system claims 26-33, were rejected based on the same rational as claims 26-33. Applicants respectfully traverse.

The Examiner's primary reference, Min *et al.*, cannot be used to reject claims 1-33 under 35 U.S.C. § 103. In particular, section 103(c) states that subject matter developed by another person, which qualifies as prior art only under section 102(e) shall not preclude patentability under section 103 where the subject matter and the claimed invention were, at the time of the invention was made, owned by the same person or subject to an obligation of assignment to the same person. The inventors of the above-captioned application and the Min *et al.* publication were all subject to an obligation to assign to Broadcom Corporation at the time the invention was made. This obligation was memorialized in assignments recorded at the USPTO. *See* Reel/Frame: 012385/0020 and 013378/0348.

Accordingly, Applicants respectfully request that the rejection be withdrawn and that claims 1-33 be passed to allowance.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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